

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	:	
	:	
Anthony Molloy et al.	:	
	:	
Ser. No.:	:	10/591,003
	:	National Stage of PCT/GB2005/000430
	:	International Filing Date: 8 February 2005
For:	:	
	:	CLEANING A PLURALITY
	:	OF SUPPLY LINES

**PETITION UNDER 37 CFR 1.47 (A) AND
35 USC § 116, 2D PARAGRAPH TO FILE AN APPLICATION ON
BEHALF OF AVAILABLE JOINT INVENTORS AND A JOINT INVENTOR
WHO REFUSES TO JOIN IN THE APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On behalf of the signing inventors and the partial assignee, CleverClear Ltd, of the above-mentioned application and the inventions described therein, petition is made under 37 CFR 1.47(a) and in accordance with 35 USC 116, 2d paragraph, to file an application on behalf of themselves and on behalf of a joint inventor who refuses to join in the application.

The available joint inventors or Section 1.47(a) applicant have made an oath or declaration on their own behalf as required by 37 CFR § 1.63 as evidenced by the Declaration for Patent Application submitted herewith.

An oath or declaration on behalf of the joint inventor who refuses to join in the application as required under 37 CFR § 1.64 is made in the Declaration and Statement of

Facts Supporting The Petition Under 37 CFR 1.47(a) and 35 USC § 116, 2d Paragraph submitted herewith. Also included in the Declaration is proof and evidence of the non-signing inventor's refusal to execute the application papers as well as his last known address.

The fee required under 37 CFR 1.17(g) may be debited from Deposit Account 11-0978. In the event any additional fees are required, the Commissioner is hereby authorized to charge any additional fees to this deposit account as well.

Having complied with all of the requirements of 37 CFR 1.47(a) and 35 USC 116 2d paragraph, it is hereby respectfully requested that the petition be accepted and that the application be approved for examination.

Respectfully submitted,

KING & SCHICKLI, PLLC

A handwritten signature in black ink, appearing to read 'Andrew D. Dorisio', with a long horizontal line extending to the right.

Andrew D. Dorisio
Registration No. 41,713

247 North Broadway
Lexington, KY 40507
(859) 252-0889

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**DECLARATION AND STATEMENT OF FACTS
SUPPORTING THE PETITION UNDER 37 CFR 1.47(A) AND
35 USC § 116, 2D PARAGRAPH**

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

For purposes of the contemporaneously filed Petition Under 37 CFR 1.47(a) and 35 USC Section 116, second paragraph, the undersigned does hereby aver and state as follows:

1. PCT patent application PCT/GB2005/000430 covering the above-referenced invention was filed on February 8, 2005, designating the United States and claiming priority to U.S. Provisional Patent Application Ser. No. 60/548,458, filed February 27, 2004.
2. On or about 26 June 2007, I forwarded a Declaration required for entering the national stage in the United States along with the above-referenced PCT application to co-inventor Matthew Molloy by sending it to his last known address at 13 Hawthorn Grove, Wallsend, Tyne and Wear, United Kingdom, NE28 8HD
3. Despite having executed the Assignment document attached as *Exhibit A* assigning his rights in the inventions disclosed in the above-referenced PCT application to CleverClear Ltd. and requiring his full cooperation in this matter, Matthew Molloy has

refused to return and sign the Declaration. Evidence of this refusal is in the form of a letter dated 9 July 2007 from John Nicholson of Mincoffs Solicitors, LLP, representing inventor Matthew "Malloy" (*sic* Molloy), and attached as *Exhibit B*. In the letter, Mr. Nicholson acknowledges that Matthew Molloy has "received directly documents relating to an application for a US Patent which your client states requires execution," but states that "our client" (referring to Matthew Molloy) "is not prepared to execute that document until the other matters outstanding have been resolved."

4. To date, and despite the above-described diligent efforts, I have not yet received the executed Declaration from Matthew Molloy.

5. The undersigned hereby makes oath or declaration on behalf of Matthew Molloy stating that to the best of his knowledge and belief, the inventors listed in the accompanying Declaration are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention; that he has reviewed and understands the contents of the above-identified application or been given the opportunity to do so; that he acknowledges the duty to disclose information which is material to the examination of this application in accordance with title 37 CFR § 1.56(a); and that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11th July 2007
Date



Steven James Wheeler

Assignment of Patent Rights

THIS ASSIGNMENT is made the 27TH day of FEB 2004, BETWEEN

Matthew Molloy of 13 HAWTHORN GROVE, WALLSEND
TYNE & WEAR NE28 8HD

(herein called "the Assignor") of the one part, AND

CleverClear Ltd, registered company 05054600 of the United Kingdom

(herein called "the Assignee") of the other part.

WHEREAS

(A) The Assignor has rights in the Invention entitled "Cleaning a Plurality of Supply Lines" (hereinafter referred to as "the Invention") which will be the subject of a future International Patent application (herein referred to as "the Application").

(B) The Assignee is a company, which will develop, and market the Invention and/or Application.

(C) The parties hereto have agreed that all rights in and to the invention should be transferred by the Assignor to the Assignee for the consideration hereinafter set forth.

NOW THIS DEED WITNESSETH as follows:

- (1) In consideration of the sum of One Pound Sterling paid by the Assignee to the Assignor (the receipt whereof is hereby acknowledged) the Assignor with full title guarantee **HEREBY ASSIGNS** the Assignee:

All its rights in and to the Invention and the Application, including the right to file further patent applications (hereinafter referred to as "the Applications") worldwide and the right to grant of patents worldwide in respect of the invention.

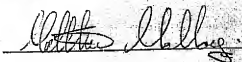
TO HOLD unto the Assignee absolutely.

- (2) The Assignor shall assist the prosecution of the Applications to grant and will execute all such documents and do all such acts as may be necessary or proper to obtain the acceptance of the Applications and for procuring the grant of patents pursuant to the Applications.
- (3) In the event that the validity of any patent granted pursuant to the Applications is challenged on any point upon which the Assignor has or can procure information or advice which may assist in meeting and defeating or reducing the effect of such challenge, the Assignor agrees and/or undertakes to supply or procure the supply of such information and/or advice without unreasonable delay but subject to the right to charge the Assignee out-of-pocket expenses properly and reasonably incurred in pursuance of this provision.

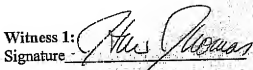
EXHIBIT A

IN WITNESS whereof the parties hereto have executed this assignment the day and year first above written.

Signed by the Assignor:
(Matthew Molloy)



Witness 1:
Signature



Name: H.W. THOMAS

Address: 13, BIDE FORD ROAD
KENTON, NEWCASTLE
UPON TYNE, NE3 4UQ

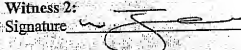
Signed on Behalf of The Assignee:



Name: HELEN WHEELER
Position: DIRECTOR

Witness 2:

Signature



Name: WENDY TAPLEE

Address: 2 SYCAMORE LANE
BURGHILL
HEREFORD

HR4 7QR

5 Osburne Terrace, Newcastle upon Tyne, NE2 1SQ
Telephone: 0191 281 6151 Facsimile: 0191 281 8069
DX: 62550 Jesmond email: mail@mincoffs.co.uk

mincoffs
solicitors LLP

Messrs Harrison Clark Solicitors
DX 716260
Worcester 1

Our ref: JN/KJ.15084.1

Your Ref: RMC/CRK/SMH/
Clever Clear/23302.1

Date: 9th July 2007

BY DX and Fax – 01905 744 874

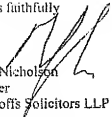
Dear Sirs

Our client – Matthew Malloy
Your client – Clever Clear Limited
WITHOUT PREJUDICE AND SUBJECT TO CONTRACT

We refer to the above matter and, in particular, to your letter of 17th May 2007. Having discussed the matter with our client, we must advise that he is not prepared to accept the position put forward in your points 1, 2 and 5. Our client's position remains that stated in our letter of 5th March 2007. Please confirm that your client is prepared to proceed on that basis.

In the meantime, please note that our client has received directly from yours documents relating to an application for a US Patent which your client states requires execution by yours. Our client is not prepared to execute that document until the other matters outstanding have been resolved. Please advise your client of this and request that your client sends all further correspondence through ourselves and not directly to our client.

Yours faithfully


John Nicholson
Partner
Mincoffs Solicitors LLP

E-mail: jpnicholson@mincoffs.co.uk